

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-36 are pending in the application, with claims 1, 15, 30, and 34-36 being the independent claims. Claims 1, 15, 30, and 34-36 are sought to be amended to clarify the claimed subject matter. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Applicants believe the entry of the foregoing amendment should be allowed because it places the application in condition for allowance and/or reduces the issues for appeal without requiring further search or consideration or placing a burden on the Examiner.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 1, 4, 15, and 30

The Examiner has rejected claims 1, 4, 15, and 30 under 35 U.S.C. § 103(a) as being allegedly obvious over U.S. Patent Application Publication No. 2002/0156726 to Kleckner et al. (“Kleckner”) in view of U.S. Patent Application Publication No. 2002/0062240 to Morinville (“Morinville”). For the reasons set forth below, Applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of

obviousness for claims 1, 4, 15, and 30 based on the combination of Kleckner and Morinville. Accordingly, Applicant respectfully traverses.

Amended independent claims 1, 15, and 30 recite, *inter alia*, “receiving a request for the security change from a requestor, the security change being used for determining access rights to an electronic file,” “an approval manager operatively connected to said access server, wherein said approval manager operates a security change approval process to determine whether a requested security change is approved, the security change being used for determining access rights to an electronic file,” and “[a] tangible data storage device including at least computer program code for approving a security change for a file security system that secures electronic files, the security change being used for determining access rights to one of the electronic files.”

For example, a requestor sends a “request for [a] security change” which is used to determine the “access rights to an *electronic file*,” as recited in claim 1. When the “requested security change” is approved, then the change is performed.

In contrast, Kleckner is not directed to an electronic file security system, as recited in claims 1, 15, and 30 but instead to a system for securely amending financial transactions. Kleckner discloses a process for establishing a policy for approving trades or amendments, whereby a first security officer “create[s] a new policy” which is then examined by a second security officer, signed and stored in a database, “which causes the new policy to come into force.” (Kleckner at [0131]). An example of such a policy would require “two settlement clerks to sign and approve a trade settlement instruction.” (Kleckner at [0132]). Kleckner discloses nothing about “the security change being used for determining access rights to one of the electronic files,” as recited in claims 1, 15,

and 30, but merely changes to the security process by which trades, or amendments thereto, are approved.

The Examiner suggests that, because the transactions are themselves stored as files in some level of abstraction in the Kleckner system (*see*, e.g., Kleckner at [0134]), that Kleckner necessarily concerns itself with “access rights to the electronic files,” as recited in independent claims 1, 15, and 30. (Instant Office Action, p. 3). This characterization appears to overreach, as Kleckner does not even concern itself with access rights to a transaction, let alone the underlying electronic files that comprise a transaction, but rather with securing the *approval* of new transactions or amendments. (Kleckner at [0131-32]).

Moreover, even assuming that, *arguendo*, Kleckner does disclose some level of access rights control to the financial transaction, Kleckner clearly nowhere teaches or suggests the control of “access rights to the electronic files,” as recited in independent claims 1, 15, and 30.

Morinville is not used to, nor does it supply the missing teaching. Morinville is directed to a process for automating the identification and notification of individuals within a management hierarchy who must give their approval for a particular business process. (Morinville at [0067]). Further, in paragraph 6.1 of the Office Action, the Examiner states, which Applicant does not acquiesce to, Morinville teaches an approval manager module that identifies the approvers in a Build process. Thus, Morinville does not teach or suggest, nor does the Examiner use Morinville to teach or suggest, at least the above-noted distinguishing features of claims 1, 15 and 30.

Accordingly, Kleckner and Morinville, either alone or in combination, do not teach or suggest each and every feature of independent claims 1, 15, and 30, and thus cannot be used to establish a *prima facie* case of obviousness. Reconsideration and withdrawal of this rejection is therefore respectfully requested.

Dependent claim 4 is also not rendered obvious by Kleckner and Morinville for similar reasons as independent claim 1 from which it depends, and further in view of its own features. Reconsideration and withdrawal of this rejection is therefore respectfully requested.

Claims 2, 3, 5-14, 16-29, and 31-36

The Examiner has rejected claims 2, 3, 5-14, 16-29, and 31-36 under 35 U.S.C. § 103(a) as allegedly being obvious over Kleckner in view of Morinville, and further in view of U.S. Patent No. 7,131,071 to Gune et al. ("Gune"). Applicant respectfully traverses this rejection.

At page 5 of the Office Action, Gune is used to allegedly teach, which Applicant does not acquiesce to, a facility for defining an approval process for approving different types of requests, which allows defining the details of elements of the approval process. Gune is not used to teach or suggest, nor does Gune teach or suggest, the aforementioned features of claims 1, 15, and 30. Thus, Gune fails to cure the deficiencies of the combination of Kleckner and Morinville as noted above. Therefore claims 2, 3, and 5-14, 16-29, and 31-33 are patentable over Kleckner, Morinville, and Gune taken alone or in combination for at least the reasons provided above. Reconsideration and withdrawal of this rejection is therefore respectfully requested.

Independent claims 34-36 are also not rendered obvious by Kleckner, Morinville, and Gune for similar reasons as independent claims 1, 15, and 30. Reconsideration and withdrawal of this rejection is therefore respectfully requested.

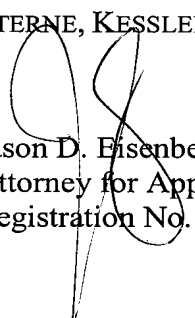
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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